

JOURNAL OF THE SENATE

EIGHTY-EIGHTH SESSION

SIXTH DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Wednesday, January 16, 2013

The Senate convened at 2:00 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Brad Veurink, followed by the Pledge of Allegiance led by Senate page Brandon Schrepel.

Roll Call: All members present.

APPROVAL OF THE JOURNAL

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the fifth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Corey Brown, Chair

Which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on State Affairs respectfully reports that it has had under consideration SB 56 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Respectfully submitted,
Larry Rhoden, Chair

Also MR. PRESIDENT:

The Committee on Taxation respectfully reports that it has had under consideration SB 54 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Also MR. PRESIDENT:

The Committee on Taxation respectfully reports that it has had under consideration SB 50 which was deferred to the 41st Legislative Day.

Respectfully submitted,
Ryan Maher, Chair

Also MR. PRESIDENT:

The Committee on Health and Human Services respectfully reports that it has had under consideration SB 26 and returns the same with the recommendation that said bill do pass.

Also MR. PRESIDENT:

The Committee on Health and Human Services respectfully reports that it has had under consideration SB 46 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Also MR. PRESIDENT:

The Committee on Health and Human Services respectfully reports that it has had under consideration SB 24 and returns the same with the recommendation that said bill be amended as follows:

24ja

On page 8, after line 17 of the printed bill, insert:

"Section 9. That chapter 36-27A be amended by adding thereto a NEW SECTION to read as follows:

Any applicant who entered a doctoral degree program of psychology at any regionally accredited university or professional school of psychology, or is recognized by the Association of Universities and Colleges of Canada as a member in good standing prior to July 1, 2013, and who received a doctoral degree from that program or has been and continues to be enrolled in that program until graduation is entitled to apply for licensure under the provisions of § 36-27A-12, as the provisions of § 36-27A-12 existed on June 30, 2013."

And that as so amended said bill do pass.

Respectfully submitted,
Jean M. Hunhoff, Chair

MESSAGE FROM THE HOUSE

MR. PRESIDENT:

I have the honor to transmit herewith HB 1008, 1009, 1036, and 1063 which have passed the House and your favorable consideration is respectfully requested.

Respectfully,
Arlene Kvislen, Chief Clerk

CONSIDERATION OF REPORTS OF COMMITTEES

Sen. Olson moved that the reports of the Standing Committees on

Judiciary on SB 38 as found on page 108 of the Senate Journal; also

Commerce and Energy on SB 60 as found on page 108 of the Senate Journal be adopted.

Which motion prevailed.

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 75 Introduced by: Senators Hunhoff (Jean), Krebs, Lederman, Lucas, Monroe, and Tidemann and Representatives Munsterman, Cronin, Ecklund, Haggar (Jenna), Magstadt, and Parsley

FOR AN ACT ENTITLED, An Act to adopt updated guidelines for the evaluation of permanent impairment in connection with workers' compensation claims.

Was read the first time and referred to the Committee on Health and Human Services.

SB 76 Introduced by: Senators Maher and Brown and Representatives Sly, Cronin, and Hoffman

FOR AN ACT ENTITLED, An Act to appropriate money to fund the education service agencies.

Was read the first time and referred to the Committee on Education.

SB 77 Introduced by: Senators Kirkeby, Adelstein, Frerichs, Krebs, Lederman, Lucas, Monroe, Rhoden, Tieszen, and Van Gerpen and Representatives Hickey, Campbell, Cronin, Dryden, Feinstein, Hoffman, Kopp, Munsterman, Novstrup (David), Rounds, and Solum

FOR AN ACT ENTITLED, An Act to require that certain information be provided to debtors when entities are collecting certain debts.

Was read the first time and referred to the Committee on Commerce and Energy.

FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS

HB 1008: FOR AN ACT ENTITLED, An Act to codify legislation enacted in 2012.

Was read the first time and referred to the Committee on Judiciary.

HB 1009: FOR AN ACT ENTITLED, An Act to correct an error in the recreational vehicle title statute.

Was read the first time and referred to the Committee on Judiciary.

HB 1036: FOR AN ACT ENTITLED, An Act to prohibit retention of certain administration costs for untimely 911 surcharge remittances.

1 Was read the first time and referred to the Committee on Commerce and Energy.

2 HB 1063: FOR AN ACT ENTITLED, An Act to repeal certain outdated and obsolete
3 provisions regarding the Bureau of Information and Telecommunications.

4 Was read the first time and referred to the Committee on State Affairs.

5 **SECOND READING OF CONSENT CALENDAR ITEMS**

6 SB 37: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
7 insurance fraud prevention unit.

8 Was read the second time.

9 The question being "Shall SB 37 pass?"

10 And the roll being called:

11 Yeas 35, Nays 0, Excused 0, Absent 0

12 Yeas:

13 Adelstein; Begalka; Bradford; Brown; Buhl; Ewing; Frerichs; Heineman (Phyllis); Holien;
14 Hunhoff (Jean); Jensen; Johnston; Jones; Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe;
15 Novstrup (Al); Olson (Russell); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden;
16 Soholt; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

17 So the bill having received an affirmative vote of a majority of the members-elect, the
18 President declared the bill passed and the title was agreed to.

19 SB 7: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
20 registration of a place of business with the Real Estate Commission.

21 Was read the second time.

22 The question being "Shall SB 7 pass?"

23 And the roll being called:

24 Yeas 35, Nays 0, Excused 0, Absent 0

1 Yeas:

2 Adelstein; Begalka; Bradford; Brown; Buhl; Ewing; Frerichs; Heineman (Phyllis); Holien;
3 Hunhoff (Jean); Jensen; Johnston; Jones; Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe;
4 Novstrup (Al); Olson (Russell); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden;
5 Soholt; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

6 So the bill having received an affirmative vote of a majority of the members-elect, the
7 President declared the bill passed and the title was agreed to.

8 SB 12: FOR AN ACT ENTITLED, An Act to update citations and revise certain provisions
9 regarding permits for energy facilities.

10 Was read the second time.

11 The question being "Shall SB 12 pass?"

12 And the roll being called:

13 Yeas 35, Nays 0, Excused 0, Absent 0

14 Yeas:

15 Adelstein; Begalka; Bradford; Brown; Buhl; Ewing; Frerichs; Heineman (Phyllis); Holien;
16 Hunhoff (Jean); Jensen; Johnston; Jones; Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe;
17 Novstrup (Al); Olson (Russell); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden;
18 Soholt; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

19 So the bill having received an affirmative vote of a majority of the members-elect, the
20 President declared the bill passed and the title was agreed to.

21 SB 63: FOR AN ACT ENTITLED, An Act to revise certain requirements for certified
22 public accountant firms licensed in South Dakota.

23 Was read the second time.

24 The question being "Shall SB 63 pass?"

25 And the roll being called:

26 Yeas 35, Nays 0, Excused 0, Absent 0

27 Yeas:

28 Adelstein; Begalka; Bradford; Brown; Buhl; Ewing; Frerichs; Heineman (Phyllis); Holien;
29 Hunhoff (Jean); Jensen; Johnston; Jones; Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe;
30 Novstrup (Al); Olson (Russell); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden;
31 Soholt; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

Jeannette Schipper, Secretary